

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27179 of 2019

Arising Out of PS. Case No.-1342 Year-2018 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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MITA DEVI W/o Raj Kishor Prasad @ Raj Kishor R/o Village- Keshavpur,
P.S.- Sakra, District- Muzaffarpur

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Suresh Ray @ Bhula Son of Kuldeep Ray R/o Village- Pipri, P.S.- Sakra,
District- Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manindra Kishore Singh

For the Opposite Party/s : Mr.Gulnar Begum

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-08-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with

Complaint Case No.1342 of 2018 Tr. No.1929 of 2019,

registered for offences punishable under Section 406 of the

Indian Penal Code.

Allegation against the petitioner is that she took a loan of

Rs.50,000/- and handed over a fixed deposit of Rs.01 lac to the

complainant with assurance that on maturity of the above

bond, she will return the amount but after maturity she

encashed the bond and not paid the amount to the

complainant.



Submission of the learned counsel for the petitioner is that earlier the husband of the petitioner had lodged a case being Sakra P.S.Case No.323 of 2017 with respect to kidnapping of his son and the complainant of this case is also one of the suspects in that case, as such the present case has been filed.

On the other hand the learned counsel for the O.P.no.2 has shown that she has handed over the fixed deposit of Rs.01 lac to him and that bond is still with him, as such that shows *prima facie* case against the petitioner.

Heard learned A.P.P. also.

Having heard both sides and considering the above facts as this case and other cases lodged by the husband of the petitioner is against the complainant, as such, let the petitioner, above named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Judge 13th-cum-ACJM, Muzaffarpur in connection with Complaint Case No.1342 of 2018 (Tr. No.1929 of 2019), subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.



With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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